

**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission 3

Application Number	10/695,291
Filing Date	October 28, 2003
First Named Inventor	Hua Tang
Art Unit	1617
Examiner Name	Carlic Huynh
Attorney Docket No.	J&J-102US

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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(Appeal Notice, Brief, Reply
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<input type="checkbox"/> Proprietary Information

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Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name	RatnerPrestia		
Signature			
Printed Name	Paul F. Prestia		
Date	December 15, 2006	Registration No.	23,031

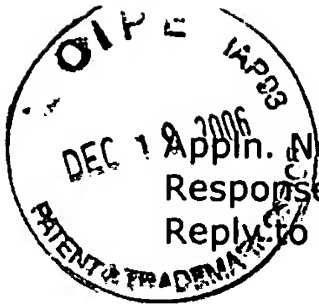
CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Todd Conway	Date	December 15, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Appln. No.: 10/695,291
Response Dated December 15, 2006
Reply to Office Action of November 15, 2006

J&J-102US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/695,291
Applicant: Hua Tang et al.
Filed: October 28, 2003
Title: PROPOFOL WITH CYSTEINE
TC/A.U.: 1617
Examiner: Carlic Huynh
Confirmation No.: 3947
Docket No.: J&J-102US

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

This is in response to the Restriction Requirement stated in the Office Letter dated **November 15, 2006**.

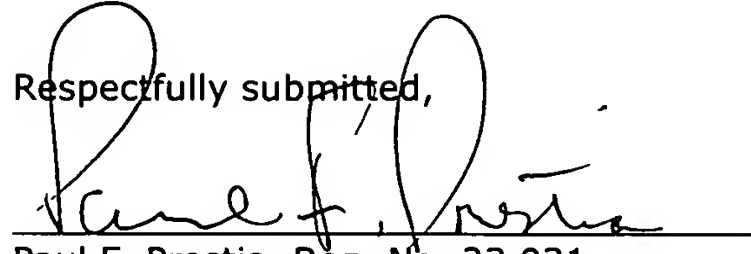
The Office Action requires the claims of either Group I (claims 1-8 and 10-17) or Group II (claim 9) be elected for prosecution. Applicants elect to prosecute Group I. Applicants' election is made without traverse.

The Office Action further requires Applicants to elect (1) a single disclosed species of an excipient; and (2) a single disclosed species of a local anesthetic for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Office Action identifies claims 4, 10-12, 14-15, and 17 as generic claims.

Applicants hereby elect (1) cysteine as an excipient; and (2) lidocaine as a local anesthetic. Applicants respectfully submit that pending claims 1-8 and 10-17 are generic to the first elected species and that claim 10 is generic to the second elected species.

Accordingly, as a result of the elections made herein, claims 1-8 and 10-17 are the claims to be considered.

Respectfully submitted,



Paul F. Prestia, Reg. No. 23,031
Phillip E. Gonzalez, Reg. No. 55,213
Attorneys for Applicants

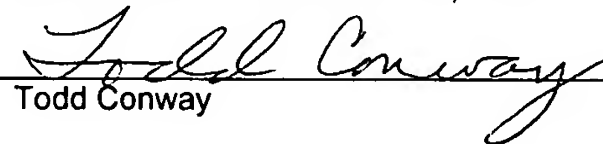
PFP/PEG/tc
Dated: December 15, 2006

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

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Todd Conway

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